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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/775,331

02/11/2004

Erich Mikk

1454.1524

8548

2,1171

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08/10/2007

STAAS & HALSEY LLP

SUITE 700

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EXAMINER

PIERRE LOUIS, ANDRE

ART UNIT

PAPER NUMBER

2123

MAIL DATE

DELIVERY MODE

08/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/775,331	Applicant(s) MIKK, ERICH	
	Examiner Andre Pierre-Louis	Art Unit 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed on 06/25/2007 has been received and fully considered.
2. Claim 8 is added; and now claims 1-8 are presented for examination.
3. Regarding the rejection under 35 USC 112, the Examiner withdraws the rejection in view of the amendment.

Response to Arguments

4. Applicant's arguments filed 06/25/2007 have been fully considered but they are not persuasive.

4.1 Applicant argues that Gatzemeier does not teach the generating and displaying; and the converting step of the claim step of claim 1, the Examiner respectfully disagrees and asserts that Gatzemeier does teach generating and displaying configured function blocks of the electrical system (*see fig.1 (Vol)*), generates and displays configured objects as second set of representation (*fig.1 (Ob1_01 and Ob2_01)*); Gatzemeier goes on to associated information formed by said creating and assigning with at least one of the function blocks, with a first and second page containing a first and second references (*see fig.2, modified objects, and also see fig.4*).

4.2 With regards to Applicant's Assertion that: nowhere does Gatzemeier disclose documents formulated in a page description language, nor does Gatzemeier teach assigning references to configured object and function blocks in first and second documents, respectively, the Examiner respectfully notes that Gatzemeier is fully directed to representing configured block and/or objects on a display using programming language (*see para 006*); as stated above Gatzemeier does assign references as identifiers to the configured functions and objects (*see*

fig.1, para 0014 and 0016-0017). As per the Applicant assertion Applicant find no disclosure of a graph in the cited reference, the Examiner respectfully disagrees and asserts that fig.3-4 are a graph and fig.5 further shows a table used for the generation of a graph. Regarding the Applicant arguments with regards to newly added claim 8, the Examiner respectfully notes that the claim is merely a duplicate of the claims already presented below and therefore inherits the same defects; see the ground of rejection below. The Examiner notes that the rejection below relied on a plurality of references used to reject the instant claims and Cash, Jr., used as a secondary reference, is fully directed to a method and system for configuring an electrical system (*see title*), and that the Examiner asserts that the rejection below along with the response to arguments fully support the Examiner's position in rejection the instant claims.

4.3 While the applicants believe that the independent claims along with their dependencies should be found allowable, the examiner respectfully disagrees and asserts that the combined teachings of the references cited teach the entire claimed invention. The Applicant is further encouraged to review the references cited not used in the rejection below. Found the applicants arguments non-persuasive, the examiner maintains the rejection of the independent claims along with their dependencies.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5.0 Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatzemeier (USPG_PUB No. 2004/0103390), in view of Cash, Jr. (U.S. Patent No. 6,379,164).

5.1 In considering the independent claims 1,4, and 8, Gatzemeier substantially teaches a method for representing the configuration of an electrical system, comprising: generating and displaying configured function blocks of the electrical system as a first set of representations (*see fig.1, para 0013-0014*); generating and displaying configured objects as a second set of representations corresponding to the configured function blocks (*fig.1, 3, para 0013-0016*); creating communication variables in the second representation associated with the configured function blocks (*fig.1,2,4, para 0013-0016*); assigning at least one of the communication variables to at least one of the configured objects; converting information formed by said creating and assigning to associate with at least one of the function blocks, a first document formulated in a page description language and containing first references to corresponding configured objects, and to associate with at least one of the configured objects, a second document formulated in the page description language and containing second references to corresponding function blocks (*fig.3,4, para 0014-0017*); and displaying the first and second documents (*fig.2,4, para 0014-0016*). Although Gatzemeier does not clearly stated the term configuring an electrical system, his figures clearly show the configuration of a system (*see for example fig.1-4*) having function block and modified generated objects. Nevertheless, Cash, Jr. substantially teaches a system and method for configuring an electrical system (*see title*). Cash, Jr. and Gatzemeier are analogous art because they are from the same field of endeavor and that the system and method teaches by Cash, Jr. is similar to that of Gatzemeier. Therefore, it would have been obvious to one ordinary skilled in the art at the time of the applicant's invention to

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combine the configuration system and method of Cash, Jr. with the automated system of Gatzemeier because Cash, Jr. teaches the advantage of having an electrical service port that facilitates convenient and simplified installation and removal of electrical receptacles within the junction box (*col.2 lines 29-41*) and the ability to control, monitor or change functionality of an electrical service port (*col.6 lines 22-42*).

5.2 As per claim 2, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step of providing navigation between the first and second set of representations of the function blocks via the first and second references (*fig.1, 4, para 0013-0015; also see Cash, Jr.3-4*).

5.3 With regards to claim 3, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step changing at least one of the first and second references if the information about at least one of the configured function blocks and configured objects changes (*fig.2-4, para 0014-0016; also see Cash, Jr.3-4*).

5.4 Regarding claim 5, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step of providing navigation via the representations of the connection function blocks in response to user selection of the references (*fig.1, 4, para 0006, 0013-0015; also see Cash, Jr.3-4*).

5.5 As per claim 6, the combined teachings of Gatzemeier and Cash, Jr. substantially teach the step of repeating said generating to produce a new graph if information about interconnection of the node function blocks changes (*fig.1, 4, para 0013-0015; also see Cash, Jr.3-4, col. 8 line 46-col.10 line 41*).

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5.6 With regards to claim 7, the combined teachings of Gatzemeier and Cash, Jr. substantially teach that said generating places the references on the graph in relation to connections actually present, whereby a measure of configuration progress can be derived therefrom (*fig. 1, 4, para 0013-0017; also see Cash, Jr. 3-4*).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6.1 Coburn et al. (6,618,856) teaches a simulation method and apparatus for use in enterprise controls.

6.2 New and substantially Improved Buildings, Electrical Systems, November 2000.

7. Claims 1-8 are rejected and **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

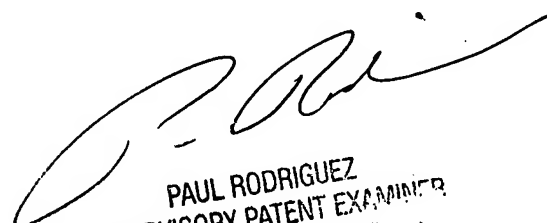
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Pierre-Louis whose telephone number is 571-272-8636. The examiner can normally be reached on Mon-Fri, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul L. Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 7, 2007

APL



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